IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 16TH JULY 2007 / 25TH ASHADHA 1929

Crl.MC.No. 2230 of 2007()

AGAINST THE JUDGEMENT/ORDER IN BA.3839/2007 Dated 26/06/2007

.....

PETITIONER: 1ST PETITIONER:

YESHUKUNJU Y., S/O. YAGAPPAN,
ERIKELLUVILA PURAYIDAM, POOVAR, THIRUPURAM,
THIRUVANANTHAPURAM DISTRICT.

BY ADV. SRI.BABU JOSEPH KURUVATHAZHA
SRI.K.I.SAGEER

RESPONDENTS: RESPONDENTS:

---

1. STATE OF KERALA,
REP. BY ITS PUBLIC PROSECUTOR,HIGH COURT OF KERALA
KOCHI-31.

2. THE SUPERINTENDENT OF POLICE,
THIRUVANANTHAPURAM.

3. THE S.I. OF POLICE,
KANJIRAMKULAM POLICE STATION.

BY PUBLIC PROSECUTOR SRI.GIKKU JACOB

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 16/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

Crl.M.C.No.2230 of 2007

Dated this the 16th day of July 2007

O R D E R

The petitioner, along with the co-accused, face allegations inter alia under Section 308 I.P.C. The alleged incident took place on 2/6/2007. He was in custody from 4/6/2007. He was enlarged on bail as per order dated 26/6/2007. He was actually released from custody on the strength of this order only with effect from 3/7/2007. The petitioner has been directed to appear before the investigating officer on all Mondays and Fridays for a period of three months and thereafter as and when directed by the investigating officer in writing to do so.

2. The petitioner has now come before this court with the request that he may be permitted to proceed to his place of employment abroad to enable him to get his visa renewed. If such permission were not granted indulgently, the petitioner would lose his investment and also opportunity to continue his activity at his place of employment abroad. It is, in these circumstances, prayed that subject to any reasonable conditions,

the petitioner may be permitted to be out of India for a period of fifteen days to facilitate him to proceed to U.A.E and renew his visa.

3. The learned Public Prosecutor opposes the application. But notwithstanding the opposition, I am satisfied that subject to appropriate and strict conditions, the petitioner can be granted such permission.

4. In the result, this petition is allowed. The petitioner shall be granted permission to leave India on 18/7/2007 on condition that he shall return to India by 6/8/2007 and report before the learned Magistrate. He shall execute a bond before the learned Magistrate for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum undertaking to return to India and report before the learned Magistrate on or before 06/08/2007. Till then, the condition that the petitioner shall report before the investigating officer shall stand suspended.

(R.BASANT, JUDGE)

jsr

// True Copy// PA to Judge

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007